

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare – Land Acquisition – Warangal District – Chinaramcherla (V), Bachannapet(M), - Acquisition of land to an extent of Ac.10.00 Gts in Sy.No.174 for providing house sites to the weaker section's people – Sanction of Rs.7,56,338/- towards the decretal charges, as per the orders of Hon'ble High Court in AS No.1409 & 1687/89 in OS No.61/85 - Orders – Issued.

G.O. Rt. No. 464

Dated: 04.06.2010.

Read the following:

1. From the District Collector Warangal Lr.No.G2/5334/2008, dated 28.6.2009.
2. From the Chief Commissioner of Land Administration, AP, Hyderabad, Lr. No. G3/1025/2009, Dated.06/08/2009.

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ORDER:-

In the reference 2nd read above, the Chief Commissioner of Land Administration, AP, Hyderabad has stated that the LAO/Tahsildar, Bachannapet has acquired land to an extent of Ac.10.00 Gts in Sy.No. 174 situated at Chinaramcherla (V), Bachannapet (M) Warangal District, which was assigned to Sri Karingula Narayana Reddy (Freedom Fighter) in the year 1967. The BDO, Cherial was allotted the same land to the weaker section houses for the Harijans neither giving any compensation to the first assignee, nor providing any alternate land to him. Aggrieved by the act of the BDO, Cherial, Sri Karingula Venkata Remi Reddy and others have filed OS No.61 of 1985 (old OS No.16/1983) in the Sub-Ordinate Judge Court, Jangaon and prayed for compensation of Rs. 5,00,000/- as per the provisions of the LA Act. The Hon'ble Trial Court has granted compensation of Rs.3,20,000/- with interest at 6% per annum with proportionate costs. Again aggrieved by the said decree and judgment the petitioners preferred AS No.1409 of 1989 contending that the trial court did not appreciate the fact that while awarding compensation according to LA Act, the petitioners are also entitled for Solatium, additional interest, cost etc., which would come to Rs.5,00,000/-. The District Collector, Warangal has filed AS No.1687/1989 contending that the trial court did not appreciate the fact that while awarding compensation on the ground that possession was not delivered to first assignee late Narayana Reddy to whom neither possession was delivered nor was he cultivating the land at any time. Even by the date of assignment, landless poor Harijans were in possession. Hence the petitioners were not entitled to any compensation. . The Hon'ble High Court has allowed the AS No.1409/89 filed by Sri K. Venkatrami Reddy and others and disposed the case directing the Respondents/Defendants 1 to 3 to pay a sum of Rs.5,00,000/- as compensation to the Appellants/Plaintiffs with subsequent interest @ 6% per annum from the date of the suit till the date of realization. On the said Judgement the Tahsildar Bachannapet has filed SLP CC No..3389/90/09 as per the opinion of the GP for Appeals, Hon'ble High Court. The Hon'ble Supreme Court has dismissed the said SLP vide orders dated 27.3.2009. The Commissioner(LA) has opined that in view of the dismissal of the SLP, no other legal course is available.

2. The CCLA., AP., Hyderabad, after scrutiny of the proposal along with the calculation sheet furnished by the Collector, Warangal District, has requested the Government for sanction an amount of Rs.7,56,338/- in respect of the land acquired at Chinaramcherla (V), Bachannapet (M) Warangal District.

3. After careful examination of the matter, Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release of an amount of Rs. 7,56,338/-/- (Rupees Seven Lakhs Fifty Six thousand Three hundred and Thirty Eight only) to the District Collector, Warangal towards payment of decretal charges, as per orders of the Hon'ble High Court in AS No.1409 & 1687/89 in OS No.61/85 in respect of the land acquired to an extent of Ac. 10.00 Gts in Sy.No. 174 situated at Chinaramcherla (V), Bachannapet (M) Warangal District, for providing of house sites to the weaker section's people.

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4. The amount of expenditure sanctioned in para (3) above shall be met within the B.E. 2010-11 and debited to the following Head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites for weaker sections under Indiramma Programme - 310/312 – other Grants-in-Aid” .

5. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Warangal to comply with the Court orders.

6. The District Collector, Warangal shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide their U.O Note No12869/196/A1/Esp.SW/2009, dated 22.5.2009 and U.O No.15926/256/A1/Exprf.Sw/09, dated 17.8.2009..

A.K TIGIDI
SPECIAL CHIEF SECRETARY TO GOVERNMENT &
PRINCIPAL SECRETARY TO GOVERNMENT (SW-FAC)

To

The Chief Commissioner of Land Administration, AP, Hyderabad.

The Commissioner of Social Welfare, A.P., Hyderabad.

The District Collector, Warangal District..

Copy to:

The Director of Treasuries & Accounts, A.P. Hyderabad.

The Accountant General, A.P., Hyderabad

The District Treasury Officer, Warangal District.

Finance (Exp.SW/BG) Department. SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER